

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

EMILY M. AGUILERA,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant

Civil No. 3:06-cv-5579-KLS

ORDER FOR REMAND

Based upon the stipulation of the parties, it is hereby ORDERED that the above-captioned case be remanded to the Commissioner of Social Security for further administrative proceedings, further development of the record, a new hearing and a new decision. On remand, the ALJ will:

1) evaluate the opinion of Dr. Conway and explain the weight given; 2) re-evaluate the opinion of Dr. Meharg and explain the weight given; 3) consider all the lay witness statements including the opinions of Allan Volman and Brent Francisco, in accordance with SSR 06-3p; 4) re-evaluate Plaintiff's credibility pursuant to SSR 96-7p; 5) re-evaluate Plaintiff's residual functional capacity

1 pursuant to SSR 96-8p; 5) upon the expanded record, if necessary, obtain supplemental evidence
2 from a vocational expert to clarify the effect of the assessed limitations on the occupational base;
3 and 6) consolidate Plaintiff's new claim filed on February 9, 2006, with this case and issue a new
4 decision.

5
6 Plaintiff may present new arguments and evidence. The ALJ may perform further
7 development and conduct further proceedings as necessary.

8 This case is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g).
9 Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses and
10 attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a),(d).
11

12 DATED this 27th day of March, 2006.

13
14
15 

16 Karen L. Strombom
17 United States Magistrate Judge

18 Presented by:

19
20 s/ RICHARD M. RODRIGUEZ
21 Special Assistant United States Attorney
22 Office of the General Counsel
23 701 Fifth Avenue, Suite 2900 MS/901
24 Seattle, Washington 98104-7075
Telephone: (206) 615-3748
FAX: (206) 615-2531
richard.rodriguez@ssa.gov